IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

MISC.CIVIL APPLICATION NO.22 OF 2006

Smt.Manisha Madhukar Satam. ..Applicant.

V/s.

Shri Madhukar A. Satam. ..Respondent.

Mr.Pungaliya for applicant.

Mr.R.S.Datar for respondent.

CORAM: A.M.KHANWILKAR,J

DATE : AUGUST 7, 2006.

P.C. :

1. Heard counsel for the parties.

2. Counsel for the respondent on instruction states that if the applicant was to withdraw bracketed portion in paragraph-(d) on page- 4 and 5 of the application, the respondent will have no objection for allowing the application as filed by the applicant. The applicant who appears in person states that she will unconditionally withdraw the following statement in the application.

> "In addition to this my children were forcibly made to take Wine, Gutkha, Gard etc. by Adv.Keskar and seven other Criminals,

> which turned into my children becoming severe addict towards it."

That assurance is accepted. In the circumstances, the above portion in the application stands effaced from the record. The respondent has no objection for allowing the application in terms of prayer clause (1) and (3) which read thus:

> (1) All Suits under Petition 5925/05, Order cancelled and transferred to Civil Court, Thane.
>
> (3) The Cases pending in the Court of Civil Judge, Senior Division, Kalyan (Court No.2) namely (i) Maintenance Petition(Special Suit) No.233/01, (ii) Maintenance Petition No.58/02 (filed by the daughter of the Petitioner), (iii) Special Darkhast No.9/2003, (iv) Regular Darkhast No.16/2003, (v) Regular Darkhast No.(new) 11/2005, (vi) Marriage Petition No.96/103, be transferred to the District Court at Thane.

3. Accordingly, The application is allowed by consent, in the interest of justice in terms of

above-noted prayer clause (1) and (3).

4. The transferred proceedings before the Thane Court shall be disposed of as expeditiously as possible, preferably by end of March, 2007.

5. Court expresses word of gratitude for the able assistance offered by Mr. Pungalia as amicus curiae